

State of South Dakota

SEVENTY-NINTH SESSION LEGISLATIVE ASSEMBLY, 2004

663J0698

HOUSE BILL NO. 1241

Introduced by: Representatives LaRue, Bartling, Gassman, Hanson, McLaughlin, Novstrup, O'Brien, Rhoden, Solum, and Thompson and Senators Schoenbeck, Apa, Dempster, and Kleven

1 FOR AN ACT ENTITLED, An Act to revise the qualifications for receiving a temporary on-
2 sale license for certain annual events.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That chapter 35-4 be amended by adding thereto a NEW SECTION to read as
5 follows:

6 Any municipality hosting an annual event attended by ten thousand or more persons may
7 issue to any licensee licensed within municipality pursuant to subdivision 35-4-2(4) a temporary
8 on-sale license to be operated, in conjunction with the annual event, on the premises of a gated
9 outdoor facility. The gated outdoor facility shall provide seating for a minimum of one thousand
10 persons and be surrounded by a fence or other structure that restricts access to the facility.
11 Before a temporary license may be issued in a municipality hosting an annual event, the
12 municipal finance officer shall estimate the previous year's attendance at the event and provide
13 the estimate to the governing body of the municipality. Any temporary license issued pursuant
14 to this section shall be issued for a period not to exceed five consecutive days and the temporary
15 license shall expire at twelve midnight on the fifth day after issuance. The licensee operating



1 the temporary license shall provide qualified security personnel to maintain order on the
2 premises of the outdoor facility. The fee for the temporary license shall be equal to or exceed
3 five hundred dollars and the fee shall be retained by the municipal governing body issuing the
4 temporary license.